

Jurisdiction of Harris County civil courts-at-law
(HB 782 by Polumbo/Whitmire)

DIGEST: HB 782 would have increased the original jurisdiction that Harris County civil courts-at-law share with district courts for controversies involving up to \$20,000 to those involving up to \$50,000. Sec. 2 of the bill would have granted jurisdiction over subjects including titles to real or personal property in any cases, including eminent domain, trespass to try title, covenants relating to real property and suits to collect delinquent property taxes. (VACS art. 1970-110g. sec. 2(b) now mentions titles to real or personal property issues only in connection with eminent domain cases.) The bill also would have granted concurrent jurisdiction over appeals from the Industrial Accident Board.

GOVERNOR'S
REASON
FOR VETO:

The governor said Sec. 2 of HB 782 contains a drafting error that would expand the subject matter jurisdiction of the county civil courts of Harris County to include any case. Subject matter jurisdiction this broad is not appropriate for a statutory county court.

AUTHOR'S
VIEW:

Rep. Tony Polumbo said HB 782 does not contain drafting errors nor would it expand jurisdiction as the governor claimed. "He had some 800 bills to go over," Rep. Polumbo said. "It may be he didn't have enough time to properly view what it said." The governor's office should have called to clear up the confusion. Increasing the jurisdiction of the county courts-at-law would have relieved the county's overburdened district courts and would have lessened the need to create more district courts, which are costly to the state, Rep. Polumbo said.

NOTES: HB 782 passed the House on the Consent Calendar and was not analyzed in a Daily Floor Report.